REMARKS

Claims 1-20 are pending in the present application. Claims 1 and 11 have been amended. Claims 1, 10, and 11 are independent claims.

The Examiner is respectfully requested to reconsider the rejections in view of the above amendments and the following remarks.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner considers the subject matter of claims 4, 7, 8, 10, 14, and 16-20 as being allowable if rewritten in independent form. However, Applicants respectfully point out that claim 10 is already in independent form[1], and thus is in condition for allowance.

Rejection Under 35 U.S.C. § 102

Claims 1-3, 5, 6, 9, 11-13, and 15 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,461,705 to Wakabayashi et al. (hereafter "Wakabayashi"). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

MPEP § 2131 sets forth the following requirements for a rejection under § 102:

> "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. Of California*, 814 F2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claims." *Richardson v. Suzuki Motor Co.*, 868 F2d 1226, 1236, 9 USQP2d 1913, 1920 (Fed. Cir. 1989).

It is respectfully submitted that the Wakabayashi does not set forth each and every element as defined in the claims.

[1] Claim 10 was rewritten in independent form in the Amendment filed December 30, 2005.

Specifically, independent claim 1 recites the following features:

- "when the abnormal state of the image processing section is detected[, making] a trial of controlling the image processing section to cause a process or piece of equipment related to image processing to make a transition to an initial state without performing the system initialization"

- "if the trial...fails to cause the process or piece of equipment to make the transition to the initial state, [performing] the system initialization processing"

It is respectfully submitted that similar features are recited in independent claim 11. Applicants further submit that these features are neither taught nor suggested by Wakabayashi.

Synopsis of Wakabayashi

Wakabayashi discloses a printer 1, which includes an electronic control unit 10 for converting print data (received from external computer 5) into bitmap or bit image data. This electronic control unit includes a CPU 31. Wakabayashi further teaches that an accessory control device, i.e., intelligent cartridge 3, may be inserted into the printer and interfaced to the electronic control unit via connector 11. According to Wakabayashi, the cartridge includes a processor (CPU 71) for assisting the electronic control unit 10 in processing the image data. For instance, the CPU 71 in the cartridge may be used to expand functionality of the electronic control unit. See col. 13, lines 14-26; col. 14, lines 47-58.

Wakabayashi further teaches that the electronic control unit executes a watchdog interrupt process routine at specified intervals. See col. 19, line 31 – col. 20, line 22. According to this process, the electronic control unit periodically sends an interrupt process request signal (Iwd), to which the cartridge is supposed to respond by outputting an interrupt acknowledge signal (IA). If the intelligent cartridge fails to output the IA signal in a timely manner, the electronic control unit provides "a visual and/or audio indication of the occurrence of a problem, followed by a reset and reinitialization of cartridge 3 and restart at the print data transfer step"

(col. 20, lines 18-20). However, Wakabayashi fails to disclose that the electronic control unit checks whether or not the restart and reinitialization of the intelligent cartridge is successful. Also, Applicants submit that Wakabayashi does not disclose performing initialization processing of the printer in connection with this watch dog interrupt process.

Wakabayashi Fails to Disclose Claimed Features

In the rejection, the Examiner cites col. 8, lines 47-63 of Wakabayashi as allegedly disclosing the aforementioned features of claims 1 and 11 (see Office Action at page 2, last paragraph; page 4, last paragraph). The cited passages is provided below:

> image data. In addition, the print program that executes the printing process of the developed image data is performed by the first processor and the print program may be stored in a portion of the first memory means in the printer controller. The printer includes processor judgment means that monitors the performance of the printing processing of developed image data by the first processor and includes abnormal condition processing means to terminate execution of the printing processing by the first processor and provides for reset of the second processor to an initialized state when the judgment means determines that the second processor in the accessory control device is not functioning under normal operating conditions. In this manner, improvement in printing reliability and unattended operation and supervision of the printer is accomplished in the processing of print data and subsequent printing of developed image data by the printer.

Thus, the above-quoted passage refers to "terminating execution of the printing processing by the first processor and provid[ing] for reset of the second processor to an initialized state when the judgment means determines that the second processor in the accessory control device [i.e., intelligent cartridge] is not functioning under normal conditions." While this might suggest that the first processor (i.e., printer's CPU 31) causes the second processor (i.e., cartridge's CPU 71) to make a transition to an initial state, there is simply no teaching or suggestion in Wakabayashi that any further action is taken by the printer if the second processor fails to be reset. In fact, Applicants submit nothing in Wakabayashi that contemplates the

situation where the restart of the second processor fails to occur. Furthermore, the above-quoted passage fails to disclose any "system initialization processing" separate from the resetting of the second processor. Thus, Applicants submit that this section of Wakabayashi fails to teach or suggest performing system initialization processing if the process or piece of equipment related to image processing fails to make the transition to the initial state, as required by independent claims 1 and 11.

Furthermore, it is respectfully submitted that the above-quoted passage (found in Wakabayashi's Summary of the Invention) refers to the watchdog interrupt process more specifically discussed in the abovementioned col. 19, line 31 – col. 20, line 22 (in the Description of the Preferred Embodiments). There is no teaching in connection with Wakabayashi's watchdog interrupt processing that any other initialization processing is performed in case that the restart and reinitialization of the cartridge's CPU fails to occur. As described above, the watchdog interrupt processing causes "reset and reinitialization of the cartridge 3 and restart at the print data step" when the cartridge's CPU is operating abnormally. Applicants submit that the restart of the print data step cannot properly be interpreted as the claimed system initialization processing, nor can it be interpreted as being performed if the cartridge's CPU fails to transition to the initial state.

Thus, Applicants respectfully submit that Wakabayashi fails to disclose each and every claimed feature of independent claims 1 and 11. Applicants respectfully submit that claims 1 and 11 are in condition for allowance, and that claims 2, 3, 5, 6, 9, 12, 13, and 15 are allowable at least by virtue of their dependency on claims 1 and 11. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

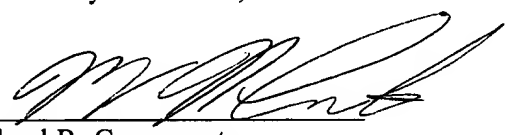
Entry of this Amendment After Final is respectfully requested. In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Date: July 6, 2006

Respectfully submitted,

By 

Michael R. Cammarata
Registration No.: 39,491
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant